

AMENDMENTS TO THE CALIFORNIA RULES OF COURT  
Adopted by the Judicial Council on April 19, 2020, effective April 20, 2020

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1 **Emergency rule 8. Emergency orders: temporary restraining or protective orders**

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3 **(a) Application**

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5 Notwithstanding any other law, this rule applies to any emergency protective order,  
6 temporary restraining order, or criminal protective order that was requested, issued,  
7 or set to expire during the state of emergency related to the COVID-19 pandemic.  
8 This includes requests and orders issued under Family Code sections 6250 or 6300,  
9 Code of Civil Procedure sections 527.6 , 527.8, or 527.85, Penal Code sections  
10 136.2, 18125 or 18150, or Welfare and Institutions Code sections 213.5, 304,  
11 362.4, or 15657.03, and including any of the foregoing orders issued in connection  
12 with an order for modification of a custody or visitation order issued pursuant to a  
13 dissolution, legal separation, nullity, or parentage proceeding under Family Code  
14 section 6221.

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16 **(b) Duration of orders**

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18 (1) Any emergency protective order made under Family Code section 6250 that  
19 is issued ~~or set to expire~~ during the state of emergency; must remain in effect  
20 for up to 30 days from the date of issuance.

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22 (2) Any temporary restraining order or gun violence emergency protective order,  
23 issued or set to expire during the state of emergency related to the COVID-19  
24 pandemic; must ~~be continued~~ remain in effect for a period of time that the  
25 court determines is sufficient to allow for a hearing on the long-term order to  
26 occur, for up to 90 days.

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28 (3) Any criminal protective order, subject to this rule, set to expire during the  
29 state of emergency, must be automatically extended for a period of 90 days,  
30 or until the matter can be heard, whichever occurs first.

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32 (4) Upon the filing of a request to renew a restraining order after hearing, that is  
33 set to expire during the state of emergency related to the COVID-19  
34 pandemic, the current restraining order after hearing must remain in effect  
35 until a hearing on the renewal can occur, for up to 90 days from the date of  
36 expiration.

37 ~~Any restraining order or protective order after hearing that is set to expire~~  
38 ~~during the state of emergency related to the COVID-19 pandemic must be~~  
39 ~~automatically extended for up to 90 days from the date of expiration to enable~~  
40 ~~a protected party to seek a renewal of the restraining order.~~

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42 *(Subd (b) amended effective April 20, 2020.)*

1 (c) **Ex parte requests and requests to renew restraining orders**

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- 3 (1) Courts must provide a means for the filing of ex parte requests for temporary  
4 restraining orders and requests to renew restraining orders. Courts may do so  
5 by providing a physical location, drop box, or, if feasible, through electronic  
6 means.
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- 8 (2) Any ex parte request and request to renew restraining orders may be filed  
9 using an electronic signature by a party or a party's attorney.

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11 *(Subd (c) amended effective April 20, 2020.)*

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13 **Emergency rule 13. Effective date for requests to modify support**

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15 **(a) Application**

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17 Notwithstanding any other law, including Family Code sections 3591, 3603, 3653,  
18 and 4333, this rule applies to all requests to modify or terminate child, spousal,  
19 partner, or family support. For the purpose of this rule, "request" refers to *Request*  
20 *for Order* (form FL-300), *Notice of Motion (Governmental)* (form FL-680), or  
21 other moving papers requesting a modification of support.

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23 **(b) Effective date of modification**

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25 Except as provided in Family Code section 3653(b), an order modifying or  
26 terminating a support order may be made effective as of the date the request and  
27 supporting papers are mailed or otherwise served on the other party, or other  
28 party's attorney when permitted. Nothing in this rule restricts the court's discretion  
29 to order a later effective date.

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31 **(c) Service of filed request**

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33 If the request and supporting papers that were served have not yet been filed with  
34 the court, the moving party must also serve a copy of the request and supporting  
35 papers after they have been filed with the court on the other party, or other party's  
36 attorney when permitted. If the moving party is the local child support agency and  
37 the unfiled request already has a valid court date and time listed, then subsequent  
38 service of the request is not required.

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40 **(d) Court discretion**

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42 Nothing in this rule is meant to limit court discretion or to alter rule 5.92 or 5.260  
43 regarding which moving papers are required to request a modification of support.

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**(e) Sunset of rule**

This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.

*Emergency Rule 13 adopted effective April 20, 2020.*